

AN ORDINANCE **100834**

AUTHORIZING THE PURCHASE OF AN 8.264 ACRE TRACT LOCATED ADJACENT TO MARTIN LUTHER KING PARK IN COUNCIL DISTRICT 2 FROM JOHN POUTRA FOR THE AMOUNT OF \$24,940.23; AUTHORIZING \$1,000.00 FOR CLOSING COSTS, FOR A TOTAL AMOUNT OF \$25,940.23 FROM PROPOSITION 3 FUNDS; ESTABLISHING A BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, a parcel of 8.264 acres of vacant property is located south of the intersection of Martin Luther King Drive and W. W. White Road, enclosed within the boundary of Martin Luther King Park, which is located along Salado Creek; and

WHEREAS, the owner, John Poutra, has agreed to sell the parcel to the City for \$24,940.23, which is the value of taxes owed plus penalty and interest and attorney fees that are currently due; and

WHEREAS, this acquisition is consistent with the City Proposition 3 Initiative in acquiring park properties along Salado Creek; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. The fee simple purchase of an 8.264 acre tract located adjacent to Martin Luther King Park for a total amount of \$24,940.23 from the Parks Development and Expansion Venue Project (Proposition 3) sales tax funds is hereby approved. The Interim City Manager, or his designee, is hereby authorized to take all necessary administrative steps, including execution of any legal documents to close said purchase, after review and approval by the City Attorney or his designee, to accomplish the purchase of said properties. Said properties are listed by legal description and address in the document affixed hereto and incorporated herein for all purposes as Attachment I.

Section 2. The amount of \$ 25,940.23 is appropriated in SAP fund 29080000, LINEAR PARKS PRJS, Internal Order 390000000309, SAP GL account 6102100 - Interfund Transfers Out, entitled Transfer from 29080000 to 40-005000. The amount of \$ 25,940.23 is authorized to be transferred from SAP fund 29080000 to SAP fund 40005000.

Section 3. The budget in SAP fund 40005000, PARK IMPROVEMENTS, Project Definition 26-00308 Creekway Project-Salado & Leon Creeks Project, shall be revised by

increasing WBS element 26-00308-90-02, entitled "TRF 29080000", SAP GL Account 6101100 - Interfund Transfers In, by the amount of \$ 25,940.23.

Section 4. The amount of \$ 24,940.23 appropriated in SAP fund 40005000, PARK IMPROVEMENTS, SAP Project definition 26-00308, General Ledger Account 5209010, WBS Element 26-00308-03, entitled "Land Acquisition", and is authorized to be encumbered for land acquisition, in connection with the Proposition Three Creekways Linear Parks Land Acquisition and Park Expansion Project.

Section 5. The amount of \$ 1,000.00 appropriated in SAP fund 40005000, PARK IMPROVEMENTS, SAP Project definition 26-00308, General Ledger Account 5406520, WBS Element 26-00308-03-02, entitled "Land Acquisition Cost", and is authorized to be encumbered for due closing cost, in connection with the Proposition Three Creekways Linear Parks Land Acquisition and Park Expansion Project.

Section 6. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the Interim City Manager, or the Interim City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

Section 7. This ordinance shall become effective on and after May 22, 2005.

PASSED AND APPROVED this 12th day of May, 2005.




M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney